

**Town of Charlton
Saratoga County
Town Board Meeting**

May 8, 2017

The Regular Meeting of the Town Board of the Town of Charlton, Saratoga County, New York was held at the Charlton Town Hall, 758 Charlton Rd, Charlton, NY and called to order by Supervisor Grattidge at 7:30 p.m.

Supervisor Grattidge led the pledge of Allegiance.

Present: Councilman Gay, Councilman Grasso, Councilman Heritage, Councilman Hodgkins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

APPROVAL OF MINUTES

RESOLUTION # 98

Approval of Minutes

Motion by Councilman Heritage

Seconded by Councilman Gay

BE IT RESOLVED that the Town Board has approved the minutes of the Town Board Agenda Meeting on April 24, 2017.

Vote: All Ayes, No Nays. **CARRIED**

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

No one chose to speak.

ABSTRACT OF CLAIMS

RESOLUTION # 99

Approval of Abstract of Claims

Motion by Councilman Gay

Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board has approved the payment of bills as presented in Abstract No. 109, voucher number 228 - 261 in the amount of \$17,522.87.

Vote: All Ayes, No Nays. **CARRIED**

TOWN CLERK'S REPORT

Clerk Mills reported that the Town Clerk's office took in \$1208.50 for the month of April. \$930.45 was paid to the Supervisor's Office, and \$278.05 was paid to other Governmental agencies.

RESOLUTION # 100

Acceptance of the Town Clerk's Report

Motion by Councilman Grasso

Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board has accepted the Town Clerk's reports as read.

Vote: All Ayes, No Nays. **CARRIED**

SUPERVISOR'S REPORT

For the month of April, I attended 3 Town meetings and 6 County meetings.
Some of the highlights of the month:

- Attended normal Town and County meetings

Supervisor Grattidge confirmed that the Town Board has received the financial reports for the month.

(see financial report on next page)

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MONTHLY REPORT OF SUPERVISOR

TO THE TOWN BOARD OF THE TOWN OF CHARLTON :

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of April, 2017:

DATED: May 1, 2017

SUPERVISOR

	Balance 03/31/2017	Increases	Decreases	Balance 04/30/2017
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	12,070.44	44,199.50	44,198.45	12,071.49
CASH - SAVINGS	216,492.59	68,710.50	44,198.45	241,004.64
PETTY CASH	600.00	0.00	0.00	600.00
Park Fees Reserve	60,427.45	4.70	0.00	60,432.15
TOTAL	289,590.48	112,914.70	88,396.90	314,108.28
DA HIGHWAY FUND				
CASH - CHECKING	0.00	32,755.77	32,755.77	0.00
CASH - SAVINGS	-25,947.37	57,320.67	32,755.77	-1,382.47
CASH, SPECIAL RESERVE	15,482.94	0.00	0.00	15,482.94
TOTAL	-10,464.43	90,076.44	65,511.54	14,100.47
F WATER #1 FUND				
CASH - CHECKING	0.00	6,844.15	6,844.15	0.00
CASH - SAVINGS	345,390.86	577.64	6,844.15	339,124.35
WATER SERIAL BOND	34,321.61	1.41	0.00	34,323.02
CASH, SPECIAL RESERVES	121,322.45	4.99	0.00	121,327.44
TOTAL	501,034.92	7,428.19	13,688.30	494,774.81
SW WATER #2 FUND				
CASH - CHECKING	0.00	128.79	128.79	0.00
CASH - SAVINGS	27,453.48	2.09	128.79	27,326.78
TOTAL	27,453.48	130.88	257.58	27,326.78
TA TRUST & AGENCY				
CASH - CHECKING	9,827.46	38,245.17	37,562.67	10,509.96
TOTAL	9,827.46	38,245.17	37,562.67	10,509.96
H CAPITAL PROJECTS				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
TOTAL ALL FUNDS	817,441.91	248,795.38	205,416.99	860,820.30

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ANNOUNCEMENTS

There will be the annual Memorial Day Ceremony in Gideon Hawley Park on May 29th at 2 p.m. The event is hosted by the Charlton Historical Society.

Party in the Park will be held June 3rd and Founders Day Weekend events are June 3rd and 4th. There are many events scheduled for the weekend including a 5k race, Art Show, Farmers Market and parade.

COMMUNICATIONS

The New York State Depart of Labor sent a notice to the Town requiring annual training for employees of workplace violence and sexual harassment policies. The Board is working on getting this done.

The Town of Ballston Library sent the Town their Annual Report. A copy is available in the Town Clerk's office.

A letter was received from Fred Acunto about traffic on Charlton Road at the corner of Division Street. Mr. Acunto noted this as a dangerous corner and requested a speed reduction. The Board will discuss this at the Agenda meeting.

The Town Board was copied on a letter from Terry Vallely, resident on Vines Road, to AIM Services for the property located at 9 Vines Road. The letter details his unhappiness with the goings on at 9 Vines Road.

DEPARTMENT & COMMITTEE REPORTS

Highway – General Operations

- Chip brush town wide
- Patch holes around town on paved and dirt roads
- Fix washouts on shoulders where water was flowing on road surface
- Sweep all town roads
- Mow parks and clean up winter damage
- Trimming trees
- Replace driveway Culverts on Vines Rd, Peaceable St. and Florence Ave.

Equipment Repair

- Clean and lube sanders for summer storage
- Service grader
- Service Backhoe and Loader

Miscellaneous Items

- Cleaned up bags from roadside clean up day

Councilman Hodgkins said he will ask the Highway Department to do the digging for the new electrical line in Gideon Hawley Park.

Water – Meter reading cards have gone out and are due back by May 25th to avoid a penalty.

Zoning – In April, \$796 was collected in fees for property improvements with a total value of \$145,400.

Seniors – Councilman Gay said that he is working with the Seniors to come up with a plan for improvements at the Community Center.

Constables – In April, there were 29 patrols, 31 complaints, 13 911 calls and 3 accidents & 1 EID call responded to. 68 tickets were issued of which 15 were issued on Route 67. For the period of January through April 2017, a total of 281 tickets were issued by the Constables.

Dog Control – In April, there were 10 complaint calls received, 2 expired licenses followed up on, 1 dog bite reported, 11 dogs seized and returned to owners.

Parks – An electrical line is going to be installed in Elmer Smith Park. A quote was received for \$1,300.00 for materials and labor. Supervisor Grattidge asked if pickleball lines could be painted on the tennis courts when the tennis lines are painted on.

ECC – Marv Schorr said that the roadside clean-up on April 29th was a success, and he thanked the Highway Department for their assistance picking up the trash bags. He said that the Charlton beautification program of giving out free tree seedlings was very popular again this year.

Historian – Mr. Livingston reported that he attended a very interesting meeting with the County Historian on May 2nd. The work on the Charlton book continues. On May 13th, the annual marking of the Charlton Veteran graves with done. He is doing research on the Van Heusen family. There is a heavy time capsule at the Community Center and he would like to have it moved to and displayed at the Town Hall. He now has access to the County Historian records online. He said that the flags for the Charlton Veteran graves were donated again this year by Gadsden and Culpepper.

MOTIONS, RESOLUTIONS, AND AUTHORIZATIONS

RESOLUTION # 101

Resolution approving the annual accounting by Town Officials and Employees

Motion by Councilman Grasso

Seconded by Councilman Hodgkins

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 101

May 8, 2017

A RESOLUTION APPROVING THE ANNUAL ACCOUNTING BY TOWN OFFICERS AND EMPLOYEES

WHEREAS, pursuant to Section 123 of the New York State Town Law, each person who as a Town officer or employee received or disbursed any monies in the previous fiscal year, shall account with the Town Board for such monies and shall produce all supporting books, records, receipts, warrants, vouchers and cancelled checks or check images as authorized by Section 99-b of the General Municipal Law, and

WHEREAS, following a review by the members of the Town Board, it was determined that the information provided regarding the financial records for the Town of Charlton for the year 2016 are in proper order.

NOW BE IT RESOLVED, that the Town Board of the Town of Charlton hereby does accept and approve the audit information for fiscal year 2016.

Moved by	Councilman Grasso	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Hodgkins		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: May 8, 2017

Brenda Mills, Town Clerk

RESOLUTION # 102

Resolution setting forth the terms and conditions to be implemented by an agreement between the Town Board of the Town of Charlton and the real estate representative of Stewart's Shops Corp. regarding the construction, composition and ongoing responsibilities for a Town of Charlton sign to be located on the approved Stewart's Shops site plan located at 1334 Sacandaga Road in the Town of Charlton.

Motion by Councilman Grasso

Seconded by Councilman Gay

Discussion: Councilman Grasso said that the agreement was previously discussed. Stewarts will pay for the initial cost and installation of a Welcome to the Town of Charlton sign, and the Town agrees to pay for any future repair, replacement or maintenance costs.

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 102

May 8, 2017

A RESOLUTION SETTING FORTH THE TERMS AND CONDITIONS TO BE IMPLEMENTED BY AN AGREEMENT BETWEEN THE TOWN BOARD OF THE TOWN OF CHARLTON AND THE REAL ESTATE REPRESENTATIVE OF STEWART'S SHOPS CORP. REGARDING THE CONSTRUCTION, COMPOSITION AND ONGOING RESPONSIBILITIES FOR A TOWN OF CHARLTON SIGN TO BE LOCATED ON THE APPROVED STEWART'S SHOPS SITE PLAN LOCATED AT 1334 SACANDAGA ROAD IN THE TOWN OF CHARLTON

WHEREAS, Stewart's Shops Corp. has recently received approval for an Exceptional Use Permit to construct a new Stewart's Shop site located at 1334 Sacandaga Road, which property is located at the southeast corner of NYS Route 67 and NYS Route 147, and

WHEREAS, one of the conditions of the Exceptional Use Permit is for Stewart's Shops Corp. to allow for a sign to be located on the subject real property, identifying the location as a westerly entrance to the Town of Charlton, and

WHEREAS, it is the purpose of this resolution to describe the procedures to be used by Stewart's Shops Corp. and the Town Board of the Town of Charlton related to the initial construction of the sign, the content of language to be placed on the sign, the ongoing responsibilities related to the sign of both Stewart's Shops Corp. and the Town of Charlton so that both parties have a clear understanding of these issues.

NOW BE IT RESOLVED, that the Town Board hereby appoints representative Joseph Grasso, Town Councilman, to work with the representative from Stewart's Shops Corp. in order to specify the terms and conditions of an ongoing agreement between the parties related to the Town of Charlton sign to be located on the subject Stewart's Shops Corp. real property, and

IT IS FURTHER RESOLVED, that the final agreement between the parties will be presented to the Town Board for final approval.

Moved by	Councilman Grasso	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Gay		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: May 8, 2017

Brenda Mills, Town Clerk

RESOLUTION # 103
Resolution to set a Public Hearing regarding the expenditure of funds from the Parks Repair Reserve Fund for the Town of Charlton

Motion by Councilman Heritage
Seconded by Councilman Hodgkins

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 103

May 8, 2017

A RESOLUTION TO SET A PUBLIC HEARING REGARDING THE EXPENDITURE OF FUNDS FROM THE PARKS REPAIR RESERVE FUND FOR THE TOWN OF CHARLTON

WHEREAS, On September 9, 2013, the Town Board established a Repair Reserve Fund to be known as the "Parks Repair Reserve Fund of the Town of Charlton", and

WHEREAS, pursuant to Section 6-d of the General Municipal Law of New York State, the Town Board is required to publish in the official newspaper of the Town of Charlton, namely, the Daily Gazette, a notice stating in substance that the Town Board proposes to appropriate the sum of \$19,000.00 from the Town of Charlton Parks Repair Reserve Fund to be used to repair and resurface the two existing tennis courts and one existing basketball court located at Elmer Smith Park, together with associated required electrical work and repairs, and

NOW THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to the expenditure of funds from the Town of Charlton Parks Repair Reserve Fund at 6:45 p.m. on May 22, 2017 at the Town Hall, 758 Charlton Road, Charlton, New York, and

IT IS FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Moved by	Councilman Heritage	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Hodgkins		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: May 8, 2017

Brenda Mills, Town Clerk

RESOLUTION # 104

Resolution to set a Public Hearing regarding changing the Town of Charlton three member Board of elected Assessors to a single appointed Assessor

Motion by Councilman Grasso
Seconded by Councilman Gay

Discussion: Councilman Grasso said that the Assessor Chairman, Kim Caron was asked to attend the Public Hearing to inform people how the office operates.

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

TOWN OF CHARLTON
COUNTY OF SARATOGA
STATE OF NEW YORK

RESOLUTION NO. 104

May 8, 2017

**A RESOLUTION TO SET A PUBLIC HEARING REGARDING
CHANGING THE TOWN OF CHARLTON THREE MEMBER BOARD OF ELECTED
ASSESSORS TO A SINGLE APPOINTED ASSESSOR**

WHEREAS, The Town of Charlton currently has a three member Board of Assessors who are elected by the residents of the Town of Charlton and serve individual terms of office, and

WHEREAS, the Town Board has determined that it is in the best interest of the residents of the Town of Charlton to change from a Board of elected Assessors to a single appointed Assessor, and

WHEREAS, the process required for this change is set forth in New York State Real Property Tax Law (RPTL Section 310) which would terminate the current elected Assessors terms and establish a six year term of office for the appointed Assessor term subject to certain initial term adjustments as required by RPTL Section 310, and

WHEREAS, the Town Board desires to hold a public hearing with respect to the applicable law and regulations regarding the transition from three elected Assessors to one appointed Assessor.

NOW THEREFORE BE IT RESOLVED, the Public Hearing will be held by the Town Board with respect to the change from a three member Board of elected Assessors to a sole appointed Assessor on May 22, 2017 at 7:00 p.m. at the Town Hall, 758 Charlton Road, Charlton, New York, and

IT IS FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Moved by	Councilman Grasso	Voting:	Councilman Gay	Aye
			Councilman Grasso	Aye
Seconded by	Councilman Gay		Councilman Heritage	Aye
			Councilman Hodgkins	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: May 8, 2017

Brenda Mills, Town Clerk

RESOLUTION # 105

Resolution approving the seasonal use of the Elmer Smith Park baseball field by BHBL Junior Baseball

Motion by Councilman Gay

Seconded by Councilman Heritage

BE IT RESOLVED that the Town Board hereby approves the request by the BHBL Junior Baseball league to use the Elmer Smith Park baseball fields from May 9th until June 25th with the exception of dates noted when the park is already in use.

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

RESOLUTION # 106

Resolution authorizing the electrical work quoted for Elmer Smith Park by Wiring Concepts

Motion by Councilman Heritage

Seconded by Councilman Hodgkins

BE IT RESOLVED that the Town Board hereby authorizes Wiring Concepts to install a 100 amp 20 circuit panel with main breaker, install 2 20 amp circuits to lean two with two GFI outlets, and install 20 amp circuit to back stop with 2 outlets in Elmer Smith Park, at a cost not to exceed \$1,300.00.

Roll Call: Councilman Gay: Aye, Councilman Grasso: Aye, Councilman Heritage: Aye, Councilman Hodgkins: Aye, Supervisor Grattidge: Aye. **CARRIED.**

COUNCILMAN REPORTS

Councilman Hodgkins said that the next Party in the Park Committee meeting is May 23rd.

Councilman Heritage asked the Historian Marv Livingston if he had information about the formation of the Veterans Memorial Board Committee. Mr. Livingston said that he will be able to provide some information.

Councilman Grasso asked if there was wi-fi available at the Town Hall. Supervisor Grattidge said there is not wi-fi available to the public. The Councilman noted that there is paint peeling on the west side of the Town Hall, so he said that the Board will need to keep an eye on it. He said that he will schedule the workplace violence training for Town employees and Officials.

Councilman Grasso said that the Planning Board did complete the site plan review of the Stewarts' application. They will review a lot line application at their April meeting.

Councilman Grasso said that he has reached out to Dave Brennan who represents Verizon Wireless, and he has not heard back yet. There is no new information about the cell antenna project at this time.

PRIVILEGE OF THE FLOOR

Marilyn Phillips, Sacandaga Road, said that for many reasons she would like to see the sign on the Stewarts property say welcome to West Charlton. There is already welcome to Charlton signs at the boundary lines.

Ed Snyder, Division Street, said he has concerns with a sole appointed Assessor because they would be dependent on the approval of the Town Board. He asked if there is an advantage to a single Assessor, he would like to know what that is. He said with an appointed Assessor, the people lose the right to vote. Supervisor Grattidge said that the Public Hearing will be held on May 22nd. There is an article from NYS Real Property about the benefits of sole appointed Assessor. Supervisor Grattidge said that 94% of Towns in New York State have a sole Assessor, and Charlton is the only Town in Saratoga County with 3 Assessors. Currently there is one vacant Assessor position, and another position that will be vacant at year end. The head Assessor, Kim Caron, has expressed an interest in becoming sole Assessor. The Supervisor said that it has always seemed to be that there was one strong Assessor and the other Assessors tended not to be as strong, so the workload was put on the main Assessor. The sole appointed Assessor will have a term, and at the end of that term, the Board can assess the position and make changes if need be. Because the position will be appointed, the Assessor does not need to live in Charlton. The position has become more technical, so this gives the Town a bigger pool of qualified people to do the job. Councilman Grasso said that he has been on the Town Board for three years, and he has never seen the integrity of the Assessor's office questioned or impacted by the Town Board. He also said that it is the Town Board's decision to make and to do what they feel is best for the Town. If people don't like it, they can vote the Board out. Councilman Grasso said that the reason the Board is choosing single appointed over single elected is because the elected person must live in Charlton and the appointed position does not require that, so there is a larger pool to find someone qualified in.

Josie Jackson, Cook Road, said that she feels the new Stewarts is good for the community, Every morning when she drives to work, she must make a left onto Route 147 from Route 67, and she said that it is very difficult to make a left hand turn. She asked if there was going to be a left turn lane put in when Stewarts goes in. Supervisor Grattidge said that Stewarts must apply to the State for curb cuts. Councilman Grasso said that there is no turn lane in the current plans. Mrs. Jackson also said that it is difficult to pull onto Route 67 from Cook Road because of the speed of traffic on Route 67. Supervisor Grattidge said that the Charlton Police have concentrated their efforts on Route 67 to try to help control speed. Councilman Grasso said that the Town has shared the concerns with the State DOT, and it is up to them to do something. Mrs. Jackson also asked if the reason that the Board wants to go to sole assessor is because there is not enough work and was only one Assessor handling a file anyways. Supervisor Grattidge said that the workload is split between the 3 Assessors (currently 2 Assessors) but each one only works 3 hours a week, so one person could handle the workload by working 3 days. There will be an assistant for data collection and a clerk. Mrs. Jackson was thankful for the brush pick-up and the good job done by the Highway Department.

Larry Leone, Maple Avenue said regarding the Verizon application, a petition was signed in the last 2 weeks by over 100 people asking the Board to deny the application for the tower at 764 Charlton Road, and find another location. The results show that people care about Charlton's future as outlined in the 2007 Comprehensive Plan. They would prefer an antenna on an existing structure.

Eileen Stone, Charlton Road said that she agreed that the corner of Route 67 and Cook Road is a dangerous corner. She also feels that turning left on to 147 from 67 is also a problem. She said regarding the Verizon application, the ECC met and sent a letter to the Town Board on February 7th. She appreciates the time that the ECC put into comparing the water tower location and the 764 Charlton Road location. She has not seen any feedback or response to the ECC letter from the Town Board. She feels that it is very important when the Board is making a big decision, especially one that goes against our own Zoning Ordinance to co-locate. We deserve very specific rationale for the continued pursuit at 764 Charlton Road. The ECC letter included "we are puzzled by the decision by the Town Board to ask for Verizon to purpose moving it to a standalone cell tower. It is specious reasoning by nearby residents to suggest that adding antennas to the top of the water tower could have any significant impact on land values in the immediate area given that the water tower was there when residents of Cherry Lane purchased those residences. It makes little sense from an environmental standpoint to not use the water tower for the cell phone equipment. It is difficult for the Environmental Conservation Committee to understand the rationale of the Town Board in rendering its decision to abandon the use of the water tower and site the cell phone equipment in a standalone open field tower, a decision that runs counter to the Town's Zoning Ordinance recommendations, to the Comprehensive Plan that was approved in 2007, and serves to exacerbate the only significant negative environmental impact in siting the cell phone equipment, the visual impact. Mrs. Stone said that she would appreciate feedback from the Town Board, and asked the Board to put in writing why they are still pursuing the Charlton Road site. She also asked the Board to ask Verizon to do a property assessment on the 764 Charlton Road site, in addition to the photos that we requested.

RESOLUTION #107

Motion to go into Executive Session to discuss personnel and possible legal issue with the Town Attorney

Motion by Councilman Grasso

Seconded by Councilman Gay

The meeting adjourned at 8:32 p.m. and the Board went into Executive Session to discuss a personnel issue and potential legal issue with Attorney Van Vranken. The Board came out of Executive Session at 9:20 p.m. No action was taken.

Respectfully submitted,

Brenda Mills
Town Clerk